Agenda Item no. 3(d)

Minutes of the meeting of the Electoral Commission held on Wednesday 6 April 2016 at 2.15 pm

Present:  
Tony Hobman (TH) (In the Chair)  
Anna Carragher (AC)  
Gareth Halliwell (GH)  
John Horam (JH) (for agenda items 1 and 2)  
David Howarth (DH) (for agenda items 1 and 2)  
John McCormick (JMcC)  
Rob Vincent (RV)

In attendance:  
Claire Bassett (CB)  
Bob Posner (BP1)  
Alex Robertson (AR)  
Carolyn Hughes (CH)  
Louise Footner (LF)  
Tom Hawthorn (TH1)  
Adrian Fryer (AF)  
Kate Engles (KE)  
Warren Seddon (WS)  
Kairen Zonena (KZ)

1 Apologies

Alasdair Morgan and Bridget Prentice (for this meeting and the Board meeting on designation scheduled for 13 April).

2 Declaration of Interests

2.1 All the nominated Commissioners had stood for election, and been nominated as Commissioners by political parties that had contested recent elections.

2.2 JW declared that her partner was a Board member (and therefore also a Council member) of the European Council on Foreign Relations, a pan-
European forum for discussion of EU foreign policy. ECFR took no organisational position on the UK’s membership of the EU but members of either the Council, which included politicians from a range of parties from across the EU, or the organisation’s staff, might make arguments for or against Britain leaving the EU.

2.3 JW declared that Global Dialogue, a charity chaired by her partner, had registered with the Commission as a non-party campaigner.

2.4 JW reported that her sister, who had previously been an Assistant Borough Commander in the Metropolitan Police, was currently deployed in a non-operational role with the Met.

2.5 JW was acquainted with Brendan Barber through the Public Chairs’ Forum of which they were both members, and he had recently joined the board of the Remain (pro-EU) campaign.

2.6 AC was a member of the Board of the Arts Council of Northern Ireland (which received money from the EU Peace 3 Programme, and the Corners programme for individual artists), and a Trustee of the Wildfowl and Wetlands Trust, which received EU funding, but she had stepped back from her WWT role during the Referendum.

2.7 JMcC, having previously declared his friendship with Nigel Smith since his advice was sought by referendum campaigners, had now learnt that he was supporting the Vote.Leave campaign.

2.8 DH in 2008 drafted and put forward in parliament an amendment to the then European Union (Amendment) Bill, proposing an EU referendum in the terms ‘Should the United Kingdom remain in the European Union?’

2.9 DH had stood for election on a manifesto supporting an in-out referendum on the European Union.

2.10 DH was a council member of Justice, an organisation which had in the past received EU funding.

2.11 DH reported that the European Parliament subsidised a regular annual visit by his Public Policy students to Brussels.

2.12 DH declared that he had recently been awarded a research grant of over €40,000 from the European Parliament.

2.13 JH was a member of the pro-Europe Conservative Europe Group, the parliamentary group Conservative European Mainstream, and of the all-party parliamentary group on Reform, Decentralisation and Devolution Group, chaired by Lord Foulkes.

2.14 TH reported that as a function of his role as CEO of the Occupational Pensions Regulatory Authority (OPRA) and its successor body the Pensions Regulator (TPR), he had been a UK representative on the Committee of
European Insurance and Occupational Pensions Supervisors (CEIOPS) from 2003-2010. He chaired its Occupational Pensions committee from 2007 – 2009 and was a member of its managing board from 2009-2010.

2.15 (CEIOPS was a “level 3” committee within the Lamfalussy process of the EU. It provided advice to the European Commission, in respect of insurance and occupational pensions, on the drafting of implementation measures for framework directives and regulations and facilitated supervisory standards, guidelines and convergence in the application of regulations as well as promoting cooperation between supervisors.)

2.16 TH as a Director of PAN Trustees Ltd, declared that clients of PAN Trustees Ltd for Independent Trustee services included the Defined Benefit Pension and Life Assurance Plan for London-based staff of the European Commission (but TH was not involved in the provision of any such services to that scheme).

2.17 As a result of these declarations, David Howarth and John Horam recused themselves from this meeting and from designation decision-making. Jenny Watson continued to recuse herself from designation decision-making as Chief Counting Officer (as did Andrew Scallan as Deputy Chief Counting Officer).

3 EU Referendum – Update on Designation of Lead Campaigners (EC 26/16 plus TABLED schedule)

3.1 The paper updated the Board on the assessment of the applications for designation, and sought agreement to the next steps, which were to make the decision as rigorous as possible by asking for further evidence in relation to the applications from Go Movement Ltd and Vote Leave Ltd to be designated as the lead campaigner for the ‘Leave’ outcome.

3.2 Further evidence was not required in relation to either the application submitted by The In Campaign Ltd to be designated as the lead campaigner for the ‘Remain’ outcome, or the application submitted by the Trade Unionist and Socialist Coalition to be designated as the lead campaigner for the ‘Leave’ outcome.

3.3 The Board was asked to delegate approval of the exact form of additional information to the Chief Executive, to allow for any final adjustments to be made to the request before it went.
3.4 Questions were asked about the type of evidence that was being sought, whether it was weighted or prioritised, and what it was intended to establish in relation to the statutory test.

3.5 Existing and further information, together with the Board paper, would be supplied during and after the weekend, so that participating Commissioners would be able to read it in advance of the next designation Board meeting on Wednesday 13 April.

**Agreed:** That:-

(a) Further evidence be requested from Go Movement Ltd and Vote Leave Ltd in order to help the Board assess which of the three applicants represents to the greatest extent those campaigning for a ‘Leave’ outcome, the final detail to be delegated to the Chief Executive to approve; and

(b) No further evidence be sought from The In Campaign Ltd or the Trade Unionist and Socialist Coalition.

The meeting ended at 2.15 pm.

______________________________Chair